



\$~34

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

%

Date of Decision: 10th March, 2025

+

W.P.(C) 3035/2025 & CM APPL. 14346-14347/2025

RAM KISHOR ARORA AND ORSPetitioner

Through: Mr. Saurabh Kripal, Sr. Advocate.
Mr. Jayashree Shukla Dasgupta with
Mr. Rishika Ahuja and Mr. Shivam
Nayyar, Advocates.

versus

ICICI BANK LIMITED AND ANRRespondent

Through: Mr. Sameer Parekh with Mr. Sumit
Goel, Ms. Sreeparna B, Ms. Swati
Bhardwaj and Ms. Aditi, Advocates.
Mr. Akshit Gupta, Advocate for R-2

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

1. The challenge in the present petition is to the manner in which the accounts of petitioners have been classified as “*fraud*” on 05.01.2024.
2. It seems that feeling aggrieved by the abovesaid order, the petitioners had, earlier, knocked the doors of the High Court of Judicature at Bombay but such writ petition i.e. W.P(C) No. 4344/2024 was disposed of on 31.01.2025 on the limited point of jurisdiction and, simultaneously, the petitioners were granted liberty to file petition afresh before the appropriate Court of jurisdiction. While disposing of such petition, the respondent Bank had also submitted before the Bombay High Court that it would have no objection to the jurisdiction, if the petition is, eventually, filed before the Delhi High Court.



3. It is in the above said backdrop that the present petition has been filed.
4. The prime grievance of the petitioners is to the effect that though the accounts have been classified as *fraud* but they have not been supplied with *Forensic Audit Report* on the basis of which such accounts were classified as *fraud*.
5. Learned counsel for ICICI Bank appears on advance notice and submits that, admittedly, the above said report was not supplied to the petitioners and, therefore, if so directed by the Court, such report would be supplied to the petitioners and after having response from them with respect to the same, the Bank shall further proceed with the matter in accordance with law.
6. Learned counsel for the Bank submits that the *Show Cause Notice* was based on the above said *Forensic Audit Report* and its *Addendum*.
7. Since the classification is based, essentially, on said report, it was incumbent on the part of bank to have supplied the same, in advance.
8. Learned counsel for respondent Bank, on instructions, submits that they would ensure that the *Forensic Audit Report* dated 23.09.2020 and *Addendum* report dated 21.01.2021 are supplied within two weeks to all the petitioners and the petitioners would be at liberty to send response, if any, to the above said documents and thereafter the Bank shall proceed further with the matter in accordance with law.
9. Learned Senior Counsel for the petitioners submits that in view of the above said statement made by the learned counsel for the respondent Bank,



the petition may be disposed of accordingly and he does not pray for any further relief at the moment.

10. In view of the above, since the Bank Accounts of the petitioners had classified as *fraud*, without them being provided with the *Forensic Audit Report* and its *Addendum* and since, it has now been undertaken by the learned counsel for Bank that these would be supplied within a period of two weeks from today, the order dated 05.01.2024 is hereby set aside.

11. Let the above said reports be supplied to the petitioners within two weeks from today. Once these are supplied, the petitioners would be at liberty to send response, if any, to the above said documents.

12. After considering any such response, the Bank would be at liberty to proceed further with the matter in accordance with law. It will be also entirely upto the Bank to decide whether the petitioners need to be given any personal hearing before taking any final decision in the matter or not.

13. Petition stands disposed of in the aforesaid terms.

14. All rights and contentions of parties are reserved.

15. Order dasti under the signatures of the Court Master.

(MANOJ JAIN)
JUDGE

MARCH 10, 2025/sw/ss